



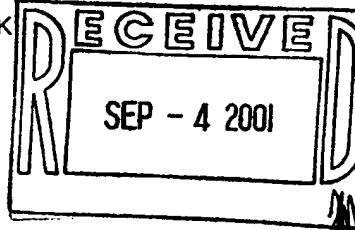
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/879,329	06/12/2001	Ethan R. Signer	AKK-108XC1

CONFIRMATION NO. 4053

23557  
SALIWANCHIK LLOYD & SALIWANCHIK  
A PROFESSIONAL ASSOCIATION  
2421 N.W. 41ST STREET  
SUITE A-1  
GAINESVILLE, FL 326066669



Date Mailed: 08/30/2001

FORMALITIES LETTER

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

03/04/2003 AWONDAF1 00000071 09879329

03 FC:2051

65.00 OP



Practitioner's Docket No. 408445

PATENT

IN THE UNITED STATES PATENT OFFICE

In re application of: Ethan R. Signer and Ranjan Perera

Application No.: 09/879,329 Art Unit.: 1642  
Filed: June 12, 2001 Examiner:

For: **REMOVAL OF SELECTABLE MARKERS FROM TRANSFORMED CELLS**

Box: DAC  
Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING  
via EXPRESS MAIL**

"Express Mail" label number E1 820325643 US

Date of Deposit: February 28, 2003

I hereby state that the following *attached* papers:

1. Transmittal Form (1 page)
2. Fee Transmittal in duplicate (2 pages)
3. Response to Notice to File Missing Parts of Nonprovisional Application (1 page)
4. Copy of Notice to File Missing Parts of Nonprovisional Application (1 page)
5. Declaration for Utility or Design Patent Application (2 pages)
6. Petition for Revival of an Application for Patent Abandoned Unintentionally (2 pages)
7. Petition for Three Month Extension of Time (1 page)
8. Request to Amend Attorney Docket Number (1 page)
9. Check No. 2882 in the amount of \$1180 for fees
10. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to: Box: DAC, Commissioner for Patents, Washington, D.C. 20231.

Michelle Ford  
Michelle Ford

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**OFFICE OF PETITIONS**

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

12

Application Number	09/879,329
Filing Date	June 12, 2001
First Named Inventor	Ethan R. Signer
Group Art Unit	1642
Examiner Name	

Attorney Docket Number 408445

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  <b>Declaration For Utility Patent Application</b> <b>Request to Amend Attorney Docket Number</b> <b>Certificate of Mailing</b> <b>Return Postcard</b>
Remarks		<b>RECEIVED</b>  MAR - 4 2003  <b>OFFICE OF PETITIONS</b>

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Dan Cleveland, Jr. Lathrop & Gage L.C.	
Signature		
Date	3/28/03	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail Label No.EL 820325643 US in an envelope addressed to: Box: DAC Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name	Michelle Ford	
Signature		Date 2/28/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent  
Attorney Docket No.: 408445  
Express Mail Label No.: EL 820325643 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ethan R. Singer and Ranjan Perera

Examiner:

Serial No. 09/879,329

Group Art Unit: 1642

Filed: June 12, 2001

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For: REMOVAL OF  
SELECTABLE  
MARKERS FROM  
TRANSFORMED  
CELLS

MAR - 4 2003

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**RESPONSE TO NOTICE TO FILE MISSING PARTS DATED AUGUST 30, 2001**

Box: FEE AMENDMENT  
Commissioner for Patents  
Washington, DC 20231

Sir:

According to the Notice to File Missing Parts dated August 30, 2001, the signed Oath and Declaration in compliance to 37 CFR 1.63 for the non-provisional patent application referred above is missing. Included in this response is the Oath and Declaration prepared by the undersigned attorney. The Oath and Declaration has not been properly signed by the inventors because they are unavailable at the present time. A copy of the Oath and Declaration form properly signed by the inventors will be sent to the Office as soon as it is prepared. This response is accompanied by a Petition to Revive for Unintentional Delay, as well as a Petition for Three Month Extension of Time.

Respectfully submitted,  
LATHROP & GAGE L.C.

Dan Cleveland, Reg. No. 36,106  
4345 Pearl East Circle, Suite 300  
Boulder, CO 80301  
Tel: (720) 931-3012  
Facsimile: (720) 931-3001



Patent

Attorney Docket No. 408445

U.S. Express Mail Label No. EL 820325643 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ethan R. Signer and Ranjan Perera

Serial No. 09/879,329

Filed: June 12, 2001

For: REMOVAL OF SELECTABLE  
MARKERS FROM TRANSFORMED  
CELLS

Group Art Unit: 1642

Examiner:

Attorney Docket No. 408445

Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST TO AMEND ATTORNEY DOCKET NUMBER

Applicants hereby request the following amendment to the Attorney Docket No. in the above-identified patent application:

Please delete "AKK-108XC1" and substitute "408445" therefore.

Respectfully submitted,

Date: 2/28/03

  
Dan Cleveland, Jr. Reg No. 36,106  
LATHROP & GAGE, L.C.  
4845 Pearl East Circle, Suite 300  
Boulder, Colorado 80301  
Tele: (720) 931-3012  
Fax: (720) 931-3001

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**O I P E**  
FEB 28 2003  
PATENT & TRADEMARK OFFICE  
**FEET TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1180

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MAR 4 2003

**OFFICE OF PETITIONS****METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money  Other  None  
Order

 Deposit Account:

Deposit Account Number

12-0600

Deposit Account Name

Lathrop &amp; Gage L.C.

## The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE****Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

**2. EXTRA CLAIM FEES**

Total Claims	-20 **	= 0	Extra Claims	Fee from below	Fee Paid
Independent Claims					
Multiple Dependent	-3 **	= 0			

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

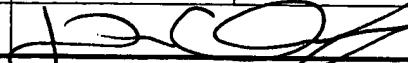
Complete If Known	
Application Number	09/879,329
Filing Date	June 12, 2001
First Named Inventor	Ethan R. Signer
Examiner Name	
Group / Art Unit	1642
Attorney Docket No.	408445

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FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	465
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	650
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$ 1180

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Dan Cleveland, Jr.	Registration No. Attorney/Agent)	36,106	Telephone	(720) 931-3012
Signature			Date	2/28/03	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.